

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: : Case No. 15-54509
: Chapter 7 (Judge Caldwell)
Crescent & Sprague Supply Co., Inc. :
: :
: :
: :
: :
Debtor. : :
:

**APPLICATION OF TRUSTEE FOR THE APPOINTMENT OF
LEVINSON LLP AS ATTORNEYS FOR THE TRUSTEE**

Now comes Susan L. Rhiel, Trustee, who respectfully represents as follows:

1. Susan L. Rhiel is the duly appointed, qualified, and acting Trustee of the estate of the above-named Debtor.

2. It is necessary that the Trustee employ attorneys in connection with the administration of this estate for the reason that various kinds of property and claims are among the assets of this estate. In the performance of her duties the Trustee and/or the attorneys for the Trustee may find it necessary to participate in certain hearings and examination of the Debtor or others, to dispose of various assets of the estate, to collect by legal proceedings, if necessary, all amounts owed to the estate, to properly transfer the title to any assets sold, and to pursue any and all other matters which may become known to the Trustee and/or the attorneys for the Trustee in the future.

3. On February 3, 2016, the Trustee filed an Application to Employ Rhiel & Associates Co., LPA ("R&A") as attorneys for the Trustee [Doc. #139]. An Order approving the employment was entered on February 3, 2016 [Doc. #140]. R&A is ceasing operations as of October 31, 2016. Susan L. Rhiel and Kristin Radwanick, formerly with R&A will be joining

Levinson LLP as of November 1, 2016. Accordingly, by this Application, the Trustee seeks to substitute Levinson LLP as counsel for the estate.

4. The Trustee respectfully requests authority to employ Levinson LLP, and the members of such firm, who are attorneys duly admitted to practice in this Court and in the courts of the State of Ohio, to represent the Trustee in all matters pertaining to the administration of the estate.

5. Levinson LLP, and the members of such firm, are disinterested persons and neither hold nor represent any interest adverse to the estate, nor do they have any connection with the Debtor, the creditors, or any other party in interest, their respective attorneys and accountants, a judge of the Bankruptcy Court or the District Court for the Southern District of Ohio, the United States Trustee or any person employed in the Office of the United States Trustee.

6. It will be economical and consonant with the purposes and policies of the Bankruptcy Code that your Trustee be authorized to retain Levinson LLP, and the members of such firm, as attorneys, to perform the professional services described above, and that such appointment will be in the best interest of the estate and its creditors.

7. No fees or retainer have been paid to Levinson LLP in relation to this bankruptcy proceeding for a period of one (1) year prior to the filing of the petition through the date hereof.

8. The customary and proposed hourly rates of compensation of the individual attorneys of Levinson LLP are as follows:

| | |
|---------------------|---------------|
| Jeffrey M. Levinson | \$325.00/hour |
| Susan L. Rhiel | \$325.00/hour |
| Kristin Radwanick | \$225.00/hour |

9. **WHEREFORE**, Susan L. Rhiel prays for an Order appointing Levinson LLP as attorneys for the estate as of November 1, 2016.

Respectfully submitted,
LEVINSON LLP

/s/ Jeffrey M. Levinson
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Cleveland, Ohio 44113
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/s/ Susan L. Rhiel
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Hilliard, Ohio 43026
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was mailed to all parties listed below by regular U.S. Mail, postage prepaid and/or electronic mail, on October 26, 2016.

/s/ Susan L. Rhiel

Susan L. Rhiel

Names and addresses of persons served:

Debtors:

Crescent & Sprague Supply Co., Inc.
PO Box 1027
Marietta, OH 45750
Via Regular Mail

Debtor's Attorney:

Khadine L. Ritter
424 Second Street
PO Box 739
Marietta, OH 45750
Electronic service through ECF system

Office of the U.S. Trustee
170 North High Street, Suite 200
Columbus, Ohio 43215
Electronic service through ECF system

Myron Terlecky
575 S. Third Street
Columbus, Ohio 43215
Electronic service through ECF system